

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

REBECCA GARTENBERG, PERIE  
HOFFMAN, JACOB KHALILI, GABRIEL  
KRET, TAYLOR ROSLYN LENT,  
BENJAMIN MEINER, MICHELLE MEINER,  
MEGHAN NOTKIN, GILA ROSENZWEIG,  
and ANNA WEISMAN,

Case No. 24-cv-2669

Hon. John P. Cronan, U.S.D.J.

Plaintiffs,

v.

THE COOPER UNION FOR THE  
ADVANCEMENT OF SCIENCE AND ART,

Defendant.

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS'  
MOTION FOR LEAVE TO AMEND THE COMPLAINT**

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Plaintiffs Rebecca Gartenberg, Perie Hoffman, Jacob Khalili, Gabriel Kret, Taylor Roslyn Lent, Benjamin Meiner, Michelle Meiner, Meghan Notkin, Gila Rosenzweig, and Anna Weisman (collectively, “Plaintiffs”) submit this memorandum of law in support of their Motion, pursuant to Federal Rule of Civil Procedure 15 and Local Civil Rule 7.1, for Leave to Amend the Complaint (the “Motion”). Pursuant to Local Rule 15.1(a), clean and redlined copies of the proposed amended pleading are submitted herewith.

## **ARGUMENT**

In this case, Plaintiffs seek redress for harms suffered as students at Defendant The Cooper Union for the Advancement of Science and Art (“Cooper Union” or the “School”) as a result of antisemitic harassment on campus in the wake of the horrific terrorist attack perpetrated by Hamas in Israel on October 7, 2023. The allegations Plaintiffs seek to add via their amendment concern additional antisemitic conduct that Cooper Union has allowed to occur on campus since this case was filed on April 9, 2024 that further reflects both the hostile educational environment Plaintiffs have had to endure at Cooper Union as they pursue their educations, as well as Cooper Union’s deliberate indifference to, and ongoing failure to address, the issue.

Rule 15(a) of the Federal Rules of Civil Procedure provides that the “court should freely give leave [to amend] when justice so requires.” Fed. R. Civ. P. 15(a)(2). As this Court has observed, “[u]nder this liberal standard, a motion to amend is generally denied only if the moving party has unduly delayed or acted in bad faith or with a dilatory motive, the opposing party will be unfairly prejudiced if leave is granted, the proposed amendment is futile, or if prior amendments have repeatedly failed to cure pleading deficiencies.” *GGC Int’l Ltd. v. Ver*, 2025 U.S. Dist. LEXIS 6508, at \*4 (S.D.N.Y. Jan. 13, 2025).

Here, Plaintiffs’ Motion is in the interest of justice because, if amended, the pleadings will reflect a more complete and current account of Plaintiffs’ experiences on campus that form the

basis for Plaintiffs' claims for relief and provide Defendant with updated notice of the scope of what Plaintiffs contend needs to be remedied. The Motion is also timely, in accordance with the terms of the Civil Case Management Plan and Scheduling Order, entered in this case on April 7, 2024, which provides that “[a]ny motion for leave to amend or to join additional parties shall be filed by May 30, 2025.” ECF No. 50. Moreover, the proposed amendment is neither futile nor prejudicial. Plaintiffs are seeking to include additional facts and circumstances but no new causes of action. Nor are they aiming to replead the claims this Court has dismissed. And because discovery in this case has barely begun, the amendment will not impact the case schedule.

### **CONCLUSION**

For the reasons detailed above, the Court should grant Plaintiffs' Motion for Leave to Amend the Complaint.

DATED: New York, New York  
May 30, 2025

Respectfully submitted,

By: /s/ Aaron Stiefel

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**CERTIFICATE OF SERVICE**

I, Aaron Stiefel, hereby certify that a copy of the foregoing Motion for Leave to Amend the Complaint, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on May 30, 2025.

DATED: May 30, 2025

/s/ Aaron Stiefel

Aaron Stiefel